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MUNSCH, HARDT, KOPF & HARR, P.C. INTELLECTUAL PROPERTY DOCKET CLERK 1445 ROSS AVENUE, SUITE 4000 DALLAS, TX 75202-2790			BLACKWELL, JAMES H	
		ART UNIT	PAPER NUMBER	
		2176		

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/755,293	SCHANTZ, CURTIS
	Examiner	Art Unit
	James H Blackwell	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 December 2004.  
 2a) This action is **FINAL**.                                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-50, 157-160 and 166 is/are pending in the application.  
 4a) Of the above claim(s) 51-156 and 161-165 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-50, 157-160 and 166 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 23 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 1/22/01.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

This Office Action is in response to applicant's election of claims 1-50, 157-160, and 166 (Group I).

### Specification

#### Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.  
Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.
- (e) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."

(2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

(f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

(g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

(h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

(i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

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(j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

(k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

The disclosure is objected to because of the following informalities: Paragraph 0096, page 23, last sentence is incomplete. Sentence begins with “*For example ...*” and does not give an example. This is particularly concerning since the example that is missing may have helped the examiner to better understand what an “MVR document” is, thus leading to a more focused search of the prior art. Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Applicant appears to be disclosing methods of electronically publishing information. However, Applicant’s disclosure is insufficient to teach one skilled in the pertinent art a method of making and using Applicant’s invention without undue experimentation. In addition, the Examiner cannot find any disclosure regarding a

specific example (from start to finish) of Applicant's invention in the Description of The Preferred Embodiment section of Applicant's disclosure.

Applicant appears to describe desired results, but does not describe any specific way to obtain such results. It is not seen from the disclosure what Applicant has contributed to the art.

Applicant is advised against the addition of new matter.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected; to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-50, 157-160, and 166 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In particular, there is no reference in the specification on how one transforms information into an MVR document, nor is there any reference telling one how to store and send such documents once created.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 1-50, 157-160, and 166 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For example, the definition of the term "MVR document", though partially defined by the applicant appears to be incomplete (specification, page 23, paragraph 0096).

In addition, the term "systematic" (Claims 7, 10, 27, 38) is never explained as to whether it means "relating to or consisting of a system", or "presented or formulated as a coherent body of ideas or principles", or "methodical in procedure or plan", etc (Merriam-Webster online).

Claim 3 uses the term "captured" when referring to items. It is not defined in the specification, unless one assumes it is a screen capture.

In addition, the Specification lacks specific details or examples of the layout types described in the claims except to liken them to rather abstract "Yellow Pages" documents, or to specific publications "AutoTrader". The Applicant, rather than relying on these examples alone, should describe structural requirements of the layout types.

The definitions for the layout types mentioned in the claims, (free-form, rule-based, and structured) are far too general to assist in determining what such layouts look like, how they differ from one another, and whether or not they really represent layouts at all.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-50, 157-160, and 166 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. (hereinafter, King, U.S. Patent No. 6,161,114).

In regard to independent Claim 1 (and similarly independent Claim 11), King teaches (a) *transforming the information into an MVR document* in that King's invention teaches the concept of a *document*. The document may include any combination of content elements, design descriptions and media specifications. Once the application program (12) is executing, the document (32) may be loaded into the application program as an open document (32') and may appear to the user through a user interface (18). Once the document (32') has been composed for a particular medium, it appears as a composition (38) having a particular layout (39). That is, composition (38) represents the document (32') in a particular layout/format (or style) (Col. 10, lines 25-38). King also teaches (b) *storing the MVR document on a document server* in that, by way of example; the application program (12) may perform an automatic, *server-side* generation of HTML pages or other presentations. This may be done dynamically without user intervention. The content used may come from a database or other data source (Col. 8, lines 18-30). King does not expressly deal with server functions such as

that claimed in step (b) or (c) *sending the MVR document to a recipient*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to assume that King's documents, once composed by a server-side application; server-side implying that the application and its functions occur on a server (such as a web server), were *stored* (likely in a cache, as is notoriously well known for servers, particularly web servers to do, avoiding regeneration of the requested document) as in claimed step (b), and subsequently sent to a recipient; upon the recipient requesting the document, the server-side application composing the document based on the recipient's request, and the publishing/sending of the composition to the recipient as in claimed step (c).

In regard to dependent Claim 2 (and similarly dependent Claims 5, 8, 13, 23, and 36), King teaches (a) ... *receiving information having a free form layout, rule-based layout, or structured layout* in that King's invention contains a user interface that containing a composition consisting of individual content elements contained within a layout (design description). If the user wishes to modify the composition, the user may add new content elements, a new design description or a new media specification through the user interface or the like in order to be processed by the application program (12). Once the processing is complete, the application program outputs the new content, design and media to be presented through user interface 18' thus, (b) ... *transforming the information into an MVR document representing an MVR catalog, directory or guide*. King does not specify particular pre-determined layouts as suggested in the claims. However, King's invention fits content elements of a composition to a

media layout. Each content element has an associated content type, and the media layout has a content rendering space for presenting information contained in the content elements.

In regard to dependent Claim 3 (and similarly dependent claims 6, 9, 14, 24, and 37), King teaches (a) *disassembling the information into distinct items* in that King's invention contains a user interface that containing a composition consisting of individual content elements contained within a layout (design description). If the user wishes to modify the composition, the user may add new content elements, a new design description or a new media specification through the user interface or the like in order to be processed by the application program (12). Once the processing is complete, the application program outputs the new content; design and media to be presented through user interface 18' (Col. 7, lines 8-16). King also teaches (b) *extracting position, size, and context of the items* in that the example of Fig. 7, the content facet contains a property named Text, which has as a value a pointer to a text string containing the text for the footer. The design facet for this footer component includes the properties Text Face, Text Attribute, Justification and Relative Size. Example values corresponding to these properties are shown in Fig. 7. The media facet for this component includes the properties X Position, Y Position, Width and Height, which help to define the geographical region on a page where this footer may appear. These geographical properties may in general be relative to media facet containers. For example, coordinates may be relative to a particular containing region. That is, which particular page a region appears on may be determined by searching up the media facet links

until a Page component is encountered. Hence, properties such as position, size, and context are extracted (Col. 17, lines 32-46). King also teaches (c) *reassembling the captured items to create MVR page layout information* in that once the application program (12) is directed by a user to render the composition (via a "publish" command or the like), the composition (38) is rendered to a particular medium in the form of an information presentation (36). This information presentation may appear initially in a form suitable for viewing on a computer screen. For example, if the presentation has been rendered for paper media, the user interface may show this paper media in a print preview format. Likewise, if the presentation has been rendered for a Web site, the user interface may show these Web pages on the computer screen for the user to view. The information presentation (36) represents the actual pages created by the application program for paper, HTML or any other medium (Col. 10, lines 39-51). King does not expressly teach outputting page layout information. However, given that King computes a layout for a composition for a chosen medium (see Abstract), it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that King constructs a new layout taking into consideration the components of the presentation. The benefit would have been to generate a layout to fit a medium.

In regard to dependent Claim 4 (and similarly dependent claims 7, 10, 15, 27, and 38), King teaches that his invention primarily consists of automatic tasks (Col. 2, lines 52-62; Col. 5, lines 65-67; Col. 6, lines 1-7). King also teaches that his invention facilitates automatic and dynamic composition (assembly) and recomposition (reassembly) of program objects including design descriptions, content elements, and

output media specifications (Col. 5, lines 55-64). Though King does not specifically teach all the combinations of disassembling, extracting and reassembling documents, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that King would have allowed the combinations contemplated in the claims providing the benefit of a full-featured application for manipulating complex documents.

In regard to dependent Claim 12 (and similarly dependent Claims 16, 28, and 39), King fails to teach that *the MVR document is adapted to be displayed, wherein the displayed MVR document is adapted to have substantially the same look and feel as the information*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that it would have been desirable to produce output that had the same design elements, layout, and content independent of the media providing the benefit of projecting the same message to users irregardless of what receiving device they may possess.

In regard to dependent Claim 15 (and similarly dependent Claims 27, and 38), King teaches that his invention primarily consists of automatic tasks (Col. 2, lines 52-62; Col. 5, lines 65-67; Col. 6, lines 1-7). King also teaches that his invention facilitates automatic and dynamic composition (*assembly*) and recombination (*reassembly*) of program objects including design descriptions, content elements, and output media specifications (Col. 5, lines 55-64). Though King does not specifically teach all the combinations of designating, identifying and assembling documents, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that King

would have allowed the combinations contemplated in the claims providing the benefit of a full-featured application for manipulating complex documents.

In regard to dependent Claims 17-20 (and similarly dependent Claims 29-32, 42-45, and 48-50), King fails to explicitly teach *reading the information from a data file, wherein the data file comprises an MVR format file, or a PDF format file, or a desktop publishing file*. However, King's invention is able to automatically integrate a wide variety of types and combinations of content (e.g., data, graphics text, pictures, OLE objects, video, sound, etc.)(Col. 5, lines 61-65). It would have therefore been obvious to one of ordinary skill in the art at the time of invention to conclude that King's invention would have been able to accommodate the specific file formats as claimed, providing the benefit of saving time by avoiding reformatting the documents prior to import.

In regard to dependent Claim 21 (and similarly dependent Claims 34, and 40), King teaches that it is determined whether the content elements fit within the content rendering space of the media layout. If the content elements do not fit within the media layout, then further steps may be performed. These steps include the following. For each content type, determining an associated non-fit factor, re-computing the content scale factors for each content type based at least in part upon the non-fit factors, re-computing the extent values for each content element using the recomputed content scale factors, determining whether the content elements now fit in the content rendering space of the media layout, and repeating these steps until it is determined that the content elements fit within the content rendering space of the media layout (Col. 3, lines 6-18). King does not expressly discuss the case where an item may be left out of the

composition (it just does not fit). However, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that in the process of attempting to fit elements in a composition one would have, at times, reached a point where even if the element physically fit the composition, they would not have been legible because the element (especially those containing fine details) would have been shrunk down to the point of being unresolvable. Thus, King teaches a scenario where one would need to designate limits for resizing documents.

In regard to dependent Claim 22 (and similarly dependent Claims 35, and 41), King teaches a method of fitting content elements of a composition to a media layout is disclosed. Each content element has an associated content type, and the media layout has a content rendering space for presenting information contained in the content elements. For each content type, a content scale factor is initialized and extent values are computed. If the content elements do not fit within the media layout, then non-fit factors are determined, the scale factors and extent values are recomputed and these steps are repeated until the content fits (Abstract).

In regard to dependent Claim 25, King teaches that the content elements that are added to the composition may be of any type and may take a wide variety of different forms. By way of example, representative types of content include text, images, data, graphics, OLE objects, video, sound and others. Also, these content elements may be dropped or located in any suitable manner at any location within the user interface. The design description specified by the user may also be of any kind. By way of example, the design specified by the user may be a custom design that the user has created

through the use of the application program 12, or the design may come from a design template that is stored in a design catalogue of the application program 12. Many different types of designs are possible. By way of example, the user may specify a horizontal brochure format, a vertical brochure format, a single page or multi-page format, or other designs such as reports, newsletters, memos, home pages, white papers, schedules, programs, agendas, calendars, flyers, tables, catalogues, galleries, Web sites, maps, organizational charts, slides presentations, etc (reading in the information from a data file) (Col. 7, lines 31-49). King also teaches that the user may specify any desired medium to which the composition will be rendered. By way of example, a medium typically may be a sequence of screen pages of a computer, paper pages, a Web site on the Internet written in Hypertext Markup Language (HTML) or any other suitable language, a site on an Intranet system, or an OLE embedded object. Other types of media are possible as well. For example, the composition may be rendered to live HTML (perhaps incorporating JAVA applets, or Shockwave objects etc.), a multiple page OLE format, a multimedia format, a three-dimensional HTML format (VRML), an audio format, a TAPI format, a universal in-box format, or any abstract medium that may be the subject of further automated processing (such as data to be output to an Excel model that is not directly consumable by the user) (Col. 7, lines 31-49).

In regard to dependent Claim 26, King fails to teach (a) requesting input representing approval/disapproval of the display rules (b) if disapproval is returned, then requesting display rules. However, it would have been obvious to one of ordinary skill in

the art at the time of invention to allow a user to confirm or deny decisions to be made by the application thus avoiding any undo processing time as the result of an automated decision by the application.

In regard to dependent Claim 33, King teaches that one embodiment of his invention provides for a three-way separation of the information in a document. In a particular embodiment, the document is separated into its content, design and media aspects. Through this representation, an embodiment of the present invention is better able to support automatic rendering to multiple forms of media. For example, embodiments of the present invention support the automatic integration, composition and layout of content from multiple sources into intelligent dynamic document templates instantly publishable in media such as print, Intranet, Internet, and in an OLE embedding (Col. 2, lines 52-62). Though King does not specifically teach reading the display rules from a display rules file, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that since the document is separated into its separate components (files) one being design (display rules), that the application would have read the design in as a file separate from the content and media components. The benefit would have been to make available such a set of rules (akin to a stylesheet) more easily changed without having it coupled to the remainder of the document.

In regard to dependent Claim 47, claim 47 reflects the method of electronically publishing information as claimed in claims 1, and 11 and is rejected along the same rationale.

In regard to independent Claim 157, King fails to teach the exact system as claimed. However, such a system is notoriously well known as being indicative of most client/server systems such as a web client/server where the *first computing device* is the client submitting information to the *second computing device* (server), the server processes the information and returns a result to the client. Indeed, King does offer that the application program (12) may perform an automatic, *server-side* generation of HTML pages or other presentations. This may be done dynamically without user intervention. The content used may come from a database or other data source (Col. 8, lines 18-30). Here the content would have come from the client, while the results were generated on the server. It would have therefore been obvious to one of ordinary skill in the art at the time of invention to conclude that King would have used a client/server system similar in function as described in Claim 157 providing the benefit of a readily accessible document generation site.

In regard to dependent Claim 158, King teaches a user interface (25) having a list of available content on its left-hand side, along with a one page "China Tours" brochure having two photographs/destinations and accompanying text (Fig. 1a). King also teaches that the entire composition including the content tree, the design tree and the media tree is rendered to the specified media. For example, if the specified media is screen media, then the system will render the composition for viewing on the computer screen, Likewise, if the specified media is paper page media, the system will print onto paper pages, but may also allow the paper page media to be viewed on a computer screen via a print preview option. In a similar fashion, a composition rendered to HTML

media may be formatted for presentation in a Web page format and translated into the HTML language, although these same Web pages may be prepared for viewing on a computer screen via a print preview option ((*according to the capacity of a particular display device*) (Col. 35, lines 6-18).

In regard to independent Claim 159, Claim 159 reflects the system to provide MVR documents as claimed in claim 157, and is rejected along the same rationale.

In regard to dependent Claim 160, King teaches that if, for example, the brochure composition was to be rendered in HTML media, two new components may appear below each of the components Product 0 and Product 1. For example, component Product 0 would have additional subcomponents Product Forward Link and Product Backward Link. The Product Forward Link would contain content labeled "Rod Products", that would provide a forward link from the title page to the page of Product 0 (as seen at 200 in FIG. 12a). Likewise, the component Product Backward Link would be associated with the text "Home Page" and would form a link from the page upon which Product 0 appears back to the title page of the HTML media (as seen at 206 in Fig. 12b) (Col. 21, lines 24-46) (*an IPAD*). Hence, additional information would be made available in this example by clicking links.

In regard to independent Claim 166, claim 166 reflects the method of electronically publishing information as claimed in claim 1 and is rejected along the same rationale.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell  
04/04/05



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER